

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NICANOR GONZALO CBRERA-GORDILLO,	:	
Petitioner	:	
	:	
v.	:	No. 06-CV-1205
	:	
DEPARTMENT OF HOMELAND	:	
SECURITY (DHS), et al.,	:	
Respondents.	:	

ORDER

AND NOW, this 16th day of August 2006, upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of the United States Magistrate Judge Arnold C. Rapoport to which no objections have been filed, **IT IS HEREBY ORDERED** that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The Petition for Writ of Habeas Corpus is DENIED without prejudice and DISMISSED without an evidentiary hearing; and
4. There is no probable cause to issue a certificate of appealability.

BY THE COURT:

/s/ Clifford Scott Green
Clifford Scott Green, S.J.